

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Heng Chu et al.

Serial No.: 10/626,340

Filed: July 24, 2003

For: Applying Abstraction to Object Markup Definitions

Art Unit: 2167

Examiner: Kimberly M. Lovel

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND
INTERFERENCES**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Rejection in the Office Action dated June 25, 2009, finally rejecting all current Claims 3 - 5, 7 - 9, 11 - 13, 20, and 31 - 41.

- ☒ **A fee of \$30 is required** for this Notice of Appeal, pursuant to M.P.E.P. §1207.04, which states "The fee paid for the notice of appeal fee ... will be applied to a later appeal on the same application.". **Applicants have already paid a \$510 fee for a Notice of Appeal** in the subject application on September 21, 2008.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to IBM Deposit Account 090461.
- ☒ A Pre-Appeal Brief Request for Review (1 page) and attached discussion sheets (5 pages) are also submitted herewith.

Respectfully submitted,

/Marcia L. Doubet/

Date: August 22, 2009

Correspondence Address: Cust. No. 43168

P. O. Box 422859

Kissimmee, FL 34742-2859

Marcia L. Doubet, Attorney for Applicants

Registration Number 40,999

Telephone 407-343-7586

Fax 407-343-7587